

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MANUEL ARIAS and DANIEL MEJIA,

Plaintiffs,

-against-

A & J DELI FISH CORP., doing business as
AURORA FISH GRILL, and JULIO
CASTILLO,

Defendants.

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19-CV-4042 (ALC) (BCM)

ORDER

BARBARA MOSES, United States Magistrate Judge.

On January 17, 2020, Andrea Marie Moss, Esq., of Ali Law Group PC filed a letter-motion (Dkt. No. 28), seeking leave to withdraw as counsel for defendants A & J Deli Fish Corp., doing business as Aurora Fish Grill (Aurora Fish Grill), and Julio Castillo (collectively, Defendants) pursuant to Local Civil Rule 1.4, and requesting permission to submit a formal motion for leave to withdraw, with an accompanying declaration and memorandum of law, to the Court under seal, "with copies served on Defendants but not any other parties, in order to preserve the confidentiality of the attorney-client relationship." (*Id.*)

On January 17, 2020, the Court directed attorneys Moss and Sima Asad Ali to submit their motion to withdraw and supporting papers, in compliance with Local Civil Rule 1.4, to the chambers of the undersigned Magistrate Judge, for filing under seal, no later than January 24, 2020. Jan. 17 Order (Dkt. No. 29) ¶ 1. The Court directed attorneys Moss and Ali to serve copies of those filings on Defendants, and to "file proof of such service." *Id.* The Court also directed attorneys Moss and Ali to "promptly serve a copy" of the Jan. 17 Order "on Defendants, by mail and email (if possible)," and to "file a proof of service on ECF." *Id.* ¶ 6.

Attorneys Moss and Ali submitted their motion to withdraw and supporting papers to chambers on January 24, 2020. Attorney Moss's email attaching those papers informed the Court

that copies were "being forwarded to Defendants via email and also via overnight mail," and that a "certificate of service will be filed via ECF." No such certificate was filed. On February 7, 2020, the Court's staff spoke with attorney Moss, who assured that proof of service would be forthcoming. However, no proof of service has been filed.

It is therefore ORDERED that, no later than **February 17, 2020**, attorneys Moss and Ali shall file proof of service of (1) the Jan. 17 Order, (2) their motion papers submitted to chambers on January 24, 2020, and (3) this Order. Service shall be made by overnight mail and email. If attorneys Moss and Ali fail to file proof of such service by February 17, 2020, the Court may deny their motion to withdraw on that basis.

Dated: New York, New York
February 13, 2020

SO ORDERED.

A handwritten signature in blue ink, appearing to read 'Barbara Moses', is written over a horizontal line.

BARBARA MOSES
United States Magistrate Judge